

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 03-0193SOM
	)	
Plaintiff,	)	DECLARATION OF COUNSEL
	)	
vs.	)	
	)	
	)	
DWIGHT MARTIN,	)	
	)	
Defendant.	)	
_____	)	

**DECLARATION OF COUNSEL**

MICHAEL K. KAWAHARA, upon penalty of perjury, declares and states as follows:

1. I am Government counsel of record in the above-captioned criminal case.

2. Defendant's sentencing at the current time is set for March 13, 2006. This sentencing has been postponed several times in the past in order to allow time for additional hip replacement surgery and medical treatment for defendant. From my discussions with defense counsel, Ms. Tower, it appears that no additional surgical and medical procedures are necessary at the current time.

3. One of the issues previously raised herein is the feasibility of the Bureau of Prisons providing the requisite medical services which defendant may require while in custody. This has been difficult to determine up to this time due to the additional surgical procedures necessary (the second hip

replacement surgery), which was only completed last month. See defendant's motion to continue sentencing filed October 24, 2005.

4. Given that the requisite surgery has been completed, I can now seek the appropriate assessment from the Bureau of Prisons, but require additional time to get this accomplished.

5. I have apprised Ms. Tower of the foregoing, and she has authorized me to advise the Court that defendant has no objection to this continuance.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED: Honolulu, Hawaii, March 9, 2006.

/s/ Michael K. Kawahara  
MICHAEL K. KAWAHARA